

23 April 2020

Ailsa Claire  
Chief Executive Officer  
Auckland District Health Board

By email: [feedback@adhb.govt.nz](mailto:feedback@adhb.govt.nz)

Dear Ms Claire

**Complaint:** Ellerslie Gardens Lifecare  
**Our ref:** C20HDC00705

On 17 April 2020, this Office received an anonymous complaint about the care provided to unnamed residents at Ellerslie Gardens Lifecare. The complainant has not provided any contact details but has identified themselves as a “professional colleague” of staff. A copy of the complaint is **enclosed** for your information.

Having carefully reviewed the complaint, I am concerned that it raises issues about a deterioration in the quality of care provided and the possible impact on the immediate welfare and safety of the elderly residents. Whilst I am mindful that aged care facilities have been required to make various changes to their practices as a result of the Covid-19 pandemic, I do not consider that it should significantly impact on the standard of care provided to consumers.

Accordingly, I have brought this matter to the attention of the Director General of Health so that he is aware of the concerns raised. I also consider that it is desirable in the public interest that Auckland DHB, as the funder of the services provided at Ellerslie Gardens Lifecare, is made aware of this complaint and the issues raised. I therefore refer this matter to Auckland DHB pursuant to section 59(4) of the Health and Disability Commissioner Act 1994.

Notwithstanding current circumstances, I would appreciate your prompt attention with regard to this matter and a report back to HDC on actions taken as soon as practicable.

Please note that HDC will be writing to the provider on **Tuesday 28 April 2020**. A copy of the complaint will be provided and Ellerslie Gardens Lifecare will be asked to respond to the issues raised.

If you wish to discuss this further, please contact Vanessa Lin on [Vanessa.lin@hdc.org.nz](mailto:Vanessa.lin@hdc.org.nz).

Yours sincerely

A handwritten signature in black ink that reads "Rose Wall". The signature is written in a cursive, slightly informal style.

Rose Wall  
**Deputy Health and Disability Commissioner**

Enc Copy of complaint  
Cc Ailsac@adhb.govt.nz

24 April 2020

**Complaint: Ellerslie Gardens Lifecare**  
**Our ref: C20HDC00705**

I refer to your letter dated 23 April 2020, which advises that the Health and Disability Commissioner (HDC) has received an anonymous complaint from a professional colleague of staff at Ellerslie Gardens Lifecare.

Due to the content of the complaint, the serious concerns it has raised and the current circumstances that Ellerslie Gardens Lifecare is working under, I believe it is necessary to provide you with an initial response to the allegations made in the complaint.

**Background and current situation**

Ellerslie Gardens Lifecare provides rest home and hospital level care to up to 97 residents. The service is operated by Heritage Lifecare Limited.

On the 7 April 2020 a resident of Ellerslie Gardens Lifecare was admitted to Auckland City Hospital (ACH) and was subsequently tested for SARS-CoV-2 (COVID-19). The test was returned as positive and a COVID-19 outbreak was declared at the facility. This case was subsequently linked to a previous positive result from an Ellerslie Gardens Lifecare employee in late March. Auckland Regional Public Health Service (ARPHS) undertook contact tracing and all residents (77) were placed into isolation and a high proportion of Ellerslie Gardens Lifecare staff (60) were placed under 14 days quarantine. At the same time six Ellerslie Garden Lifecare residents were admitted to ACH as a precaution due to displaying symptoms consistent with COVID-19 or for other clinical reasons.

The strict quarantine regimen put in place required extensive Auckland DHB input, comprising clinical support including nurse practitioner and geriatrician support and oversight, infection control and prevention support, personal protective equipment (PPE) supply, supply of other equipment, and advice on correct usage of PPE.

Auckland DHB has provided significant workforce (registered nurses and healthcare assistants) to cover staff shortages at Ellerslie Gardens Lifecare. Due to the need to put in place isolation practices, the usual staffing levels were significantly increased.

Daily meetings were established, led by the Auckland DHB COVID-19 incident management team, involving Heritage Lifecare senior management and clinical leads, Auckland Regional Public Health Service, and Auckland DHB senior clinicians and leaders from our community and hospital operations teams. This allowed for rapid escalation and resolution of any issues.

Ellerslie Gardens Lifecare completed the initial 14 day quarantine period on the 25 April 2020, and has commenced the next 14 day period of isolation, which is less restrictive for

the majority of residents. The majority of Ellerslie Garden Lifecare staff have been released from quarantine and have returned to work. The DHB is continuing to provide staffing resources where necessary, as well as PPE supplies, and will continue to provide oversight of the facility for as long as it is needed.

As at the 5 May 2020, one resident remains COVID-19 positive, one employee is positive, and four residents and three staff have been declared probable cases. All bar one residents have been discharged from hospital. One resident has been transferred to an alternative facility on discharge from hospital.

We acknowledge that this period will have been stressful for residents, staff and family members. I can assure you that the residents have been provided safe and appropriate care throughout this period.

Yours sincerely,